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September 14, 2012

By: Electronic Filing

Hon. Patty Shwartz
United States District Court
District of New Jersey
Martin Luther King Building
50 Walnut Street, PO 10
Newark, New Jersey 07101

Re: *Sperry Associates Federal Credit Union*
v.
CUMIS Insurance Society, Inc.
Civil Case No. 10-00029

Dear Judge Shwartz:

As respects the application filed by Sperry at docket No. 141, Sperry respectfully withdraws its application. Based on a discussion with Mark Power, Esq. of Hahn and Hessen, it does not appear that he had forwarded the credit union settlement agreements to CUMIS as he previously represented. Additionally, Sperry withdraws its objection to the late production, without waiving its right to do so in the future.

We thank you for your consideration of these matters.

Respectfully,



Kenneth J. Pagliughi
Scott A. Rosenberg, PC

cc: Counsel of Record by Electronic Filing